

## FACSIMILE COVER SHEET

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**COMPANY:** U.S. Patent Office**FROM:** David R. Saliwanchik**DEPARTMENT:** Office of Initial Patent  
Examination's Filing Receipt Corrections**DATE:** June 28, 2004**FAX NO.:** (703) 746-9195**NO. OF PAGES**  
**(INCLUDING COVER SHEET):** 8**SUBJECT/MESSAGE:**

Re: Serial No. 10/763,904; filed January 23, 2004  
Attorney Docket No. ARYX-101XCD2

- 1) Request for Corrected Official Filing Receipt with attachments.

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below:

Patent Application  
Docket No. ARYX-101XCD2  
Serial No. 10/763,904

June 28, 2004  
David Saliwanchik  
David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Pascal Druzgala, Peter G. Milner  
Serial No. : 10/763,904  
Filed : January 23, 2004  
Conf. No. : 7766  
For : Ultrashort Acting Hypnotic Barbiturates

Office of Initial Patent Examination's Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

The applicants respectfully request the correction of a clerical error in the Official Filing Receipt for the above-identified patent application. The error has occurred in the Domestic Priority data as claimed by applicants section: The correction needed is as follows:

Domestic Priority data as claimed by applicant

This application is a CON of 10/145,601 05/13/2002 PAT 6,683,086  
which is a CON of 09/841,738 04/24/2001 PAT 6,387,914

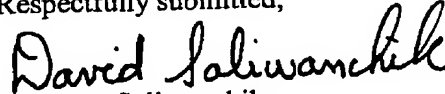
Should Read:

This application is a CON of 10/145,601 05/13/2002 PAT 6,683,086  
which is a CON of 09/841,738 04/24/2001 PAT 6,387,914, which  
claims the benefit of 60/199,144 04/24/2000

Docket No. ARYX-101XCD2  
Serial No. 10/763,904

A copy of the Provisional Application for Patent Cover Sheet, Certificate of Mailing by Express Mail, as well as a marked-up copy of the erroneous Official Filing Receipt accompanies this Request. Correction of the above is respectfully requested.

Respectfully submitted,



David R. Saliwanchik

Patent Attorney

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DRS/la

Enclosures: Copy of first page of subject application;  
Copy of executed Declaration and Power of Attorney; and  
Copy of marked-up erroneous Official Filing Receipt.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

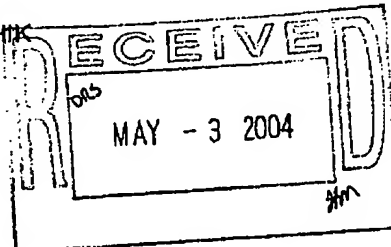
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	.FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/763,904	01/23/2004	1624	385	ARYX-101XCD2	3	1	1

CONFIRMATION NO. 7766

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## FILING RECEIPT



\*OC000000012473910\*

Date Mailed: 04/30/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Pascal Druzgala, Santa Rosa, CA;  
Peter G. Milner, Los Altos Hills, CA;

## Domestic Priority data as claimed by applicant

This application is a CON of 10/145,601 05/13/2002 PAT 6,683,086  
which is a CON of 09/841,738 04/24/2001 PAT 6,387,914

## Foreign Applications

If Required, Foreign Filing License Granted: 04/28/2004

Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Ultrashort acting hypnotic barbiturates

Preliminary Class

514

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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ARYX-101XCD2

DESCRIPTIONULTRASHORT ACTING HYPNOTIC BARBITURATES

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Cross-Reference to Related Application

This application is a continuation of co-pending application U.S. Serial No. 10/145,601, filed May 13, 2002; which is a continuation of application U.S. Serial No. 09/841,738, filed April 24, 2001, now U.S. Patent No. 6,387,914. This application also claims the benefit of U.S. Provisional Application No. 60/199,144, filed April 24, 2000.

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Background of the Invention

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The principal use of a sedative-hypnotic drug is to produce drowsiness and to promote sleep. Since sedative-hypnotic drugs usually have the capacity of producing widespread depression of the CNS, these drugs are employed for various reasons, including as antiepileptic, muscle relaxants, antianxiety drugs, and even to produce amnesia or general anesthesia. Throughout the world, more prescriptions are written for sedative-hypnotic-antianxiety drugs than for any other class of drugs.

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Barbiturates have enjoyed a long period of extensive use as sedative-hypnotic drugs. However, except for a few specialized uses, they have been largely replaced by the somewhat safer benzodiazepines.

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The barbiturates reversibly depress the activity of all excitable tissues. Not all tissues are affected at the same dose or concentration. The CNS is the most sensitive to the action of barbiturates. When barbiturates are given in sedative or even hypnotic doses, there is very little effect on skeletal, cardiac, or smooth muscle. Even in anesthetic concentrations, peripheral effects are weak and do not create difficulties if the duration of anesthesia is not prolonged. However, if depression is extended, serious deficits in cardiovascular and other peripheral functions can occur.

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Barbituric acid (2,4,6-trioxohexahydropyrimidine) and its analog thiobarbituric acid, lack central depressant activity, but the presence of alkyl or aryl groups at position-5 confers sedative-hypnotic and sometimes other activities. The

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